

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
WMC Tadcaster Rd. and Mowrick Road
2000 Tadcaster Road
1st Election District
1st Councilmanic District
Robert Gaiser, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-128-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1B02.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 ft., in lieu of the required 30 ft., for an addition to the kitchen, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of November, 1992 that the Petition for a Variance from Section 1B02.3.B. the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 ft., in lieu of the required 30 ft., for an addition to the kitchen, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING
Date 11/19/92
By Ch. Brown

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 18, 1992

Mr. and Mrs. Robert Gaiser
2000 Tadcaster Road
Baltimore, Maryland 21220

RE: Petition for Administrative Variance
Case No. 93-128-A
2000 Tadcaster Road

Dear Mr. and Mrs. Gaiser:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.



Petition for Administrative Variance
93-128-A
to the Zoning Commissioner of Baltimore County

for the property located at 2000 TADCASTER RD
which is presently zoned DR-3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.B (B.C.Z.R.) to permit a rear yard setback of 25 ft. in lieu of the required 30 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons. (Indicate hardship or practical difficulty)

The proposed addition will house a modern spacious kitchen which will satisfy the living requirements of the present owners. The present kitchen is tiny and antiquated, unsuited to owners' needs. The proposed addition is consistent with numerous other additions which have been built in this subdivision in recent years for similar reasons. Present owners have resided in Catonsville since 1974; this addition will accommodate their desire to continue a long term commitment to Catonsville and Baltimore County. Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract/Purchaser/Leasee

(Type or Print Name)

Signature

Address

City

State

Zip Code

Signature

Address

City

State

Zip Code

With this document, the undersigned, legal owner(s) of the property situate in Baltimore County, hereby petition for a Variance from Section 1B02.3.B (B.C.Z.R.) to permit a rear yard setback of 25 ft. in lieu of the required 30 ft.

(Type or Print Name)

Signature

Address

City

State

Zip Code

Signature

Address

City

State

Zip Code

REVIEWED BY JCM DATE 10-19-92
ESTIMATED POSTING DATE: 11-8-92

ITEM #: 135

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard hereto.

That the Affiant(s) does/are presently reside at 2000 TADCASTER ROAD
City CATONSVILLE MD State MD Zip Code 21228

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

The proposed addition will house a modern spacious kitchen which will satisfy the living requirements of the present owners. The present kitchen is tiny and antiquated, unsuited to owners' needs. The proposed addition is consistent with numerous other additions which have been built in this subdivision in recent years for similar reasons. Present owners have resided in Catonsville since 1974; this addition will accommodate their desire to continue a long term commitment to Catonsville and Baltimore County.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

KATHLEEN GAISER
ROBERT W. GAISER

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 19 day of October, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Kathleen Gaiser + Robert W. Gaiser

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

10/19/92

Carolyn B. Marante
NOTARY PUBLIC

My Commission Expires: 10/1/93

THE DESCRIPTION
- 3 copies required

Three copies of the zoning description of your property are required. Type or print this description, standard 8-1/2" x 11" sheets are acceptable. Most property descriptions, as stated on a deed, do not have adequate information. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2000 TADCASTER ROAD
(Address)
Beginning at a point on the NORTH side of TADCASTER RD which is 50 feet wide at the distance of 30 feet of right-of-way width, (number of feet of right-of-way width) of the centerline of the nearest improved intersecting street MOWRICK AVE, which is 40 feet wide. "Being lot 16.1, Block (E), Section (2), in the subdivision of Belling wood as recorded in Baltimore County Plat Book 153, Folio 102, subdivision) containing 10387.5 sq. ft. (number of total square feet or acres in lot) 2000 TADCASTER RD and located in the 111 Election District. (property address)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber [...], Folio [...]" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.
Typical metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 81.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

7

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 111 Date of Posting 10/30/92
Posted for: Variance
Petitioner: Kathleen + Robert Gaiser
Location of property: 2000 Tadcaster Rd. (Mowrick + Mowrick)
Location of Sign: Along intersection of Tadcaster + Mowrick
Remarks: property of Robert Gaiser
Posted by: M. Gaiser Date of return: 11/6/92
Number of Signs: 1



Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150
Number

PAID PER HAND WRITTEN RECEIPT DATED 10/19/92

10/16/92

H9300135

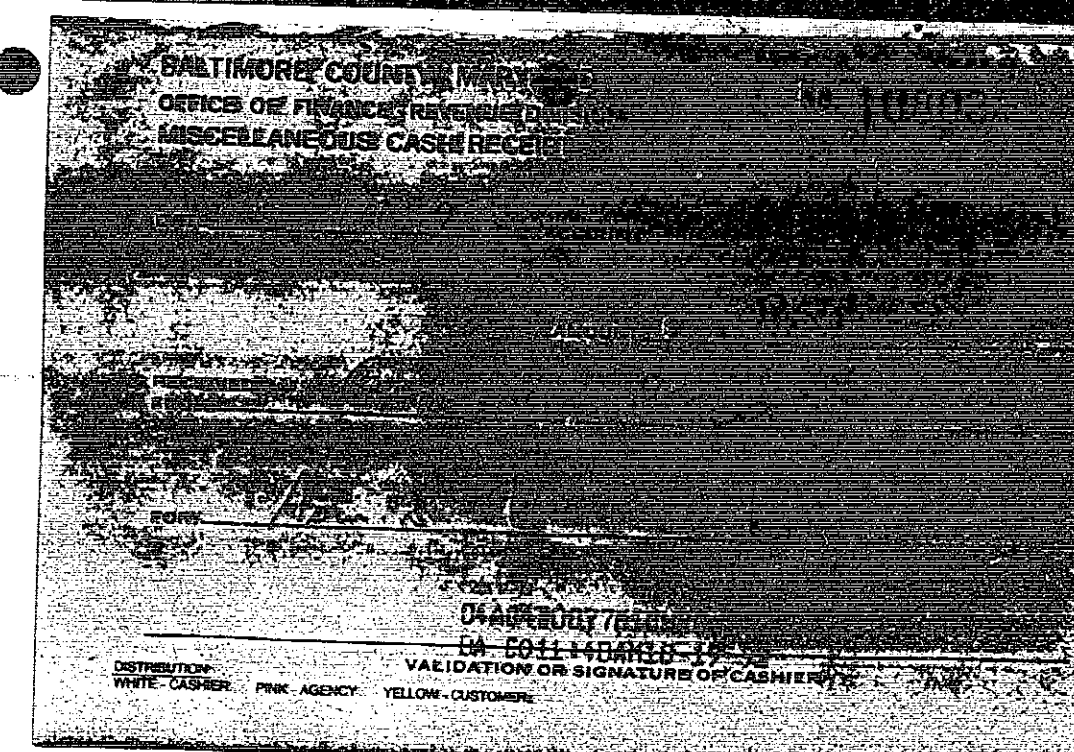
PUBLIC HEARING FEES	QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X	\$50.00
080 -POSTING SIGNS / ADVERTISING	1 X	\$35.00
TOTAL:		\$85.00

LAST NAME OF OWNER: GAISER

Please Make Checks Payable To: Baltimore County

Cashier Validation

93-128-A



93-128-A

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

November 9, 1992 (410) 887-3353

Mr. and Mrs. Robert Gaizer
2000 Tadcaster Road
Catonsville, MD 21228

RE: Case No. 93-128-A, Item No. 135
Petitioner: Robert Gaizer, et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Gaizer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 19th day of October, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richardson Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Robert Gaizer, et ux
Petitioner's Attorney:

Printed on Recycled Paper

DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature *James D. Kennedy* Date 11/09/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Steven and Nadine Mosgin		129		11-2-92 NC
DED DEPRM RP STP TE	Edward L. And Linda M. Gittings	134		comment
DED DEPRM RP STP TE	Kathleen Gaizer	135		NC
DED DEPRM RP STE RP	Charles E. Anderson	136		comment
DED DEPRM RP STP TE	Richard E. Shetrone Jay E. Boyd	137		NC
DED DEPRM RP STP TE	Fred C. and Soung O. Yoo	138		comment
DED DEPRM RP STP TE	John and Barbara Taylor	139		NC
DED DEPRM RP STP TE	Jose and Janice S. Lopez	141		NC
DED DEPRM RP STP TE	Russell L. Elliott	142		NC
DED DEPRM RP STP TE	Nick J. and Koula I. Proakis	143		NC
DED DEPRM RP STP TE	Daniel T. and Sharon L. Wollfrey	144		NC
DED DEPRM RP STP TE	Mark N. and Deborah A. Cleaver	145		NC
DED DEPRM RP STP TE				

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kessoff
Administrator

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 93-135 (JCM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
David N. Ramsey 10/30/92
John Contestabile, Chief
Engineering Access Permits
Division

Rec'd 11/5/92

My telephone number is _____
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: November 5, 1992

FROM: Ervin Mc Daniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee
(November 2, 1992)

The Office of Planning and Zoning has no comments on the following petition(s):

Steven and Nadine Mosgin, Item No. 129
Kathleen Gaizer, Item No. 135
Richard Shetrone and Jay Boyd, Item No. 137
John and Barbara Taylor, Item No. 139
Jose & Janice Lopez, Item No. 141
Nick and Koula Proakis, Item No. 143
Daniel and Sharon Wollfrey, Item No. 144
Mark and Deborah Cleaver, Item No. 145
Mike and Patricia Siano, Item No. 146
Randall and Dorothy Pettie, Item No. 147

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: *Francis Morsey*

Division Chief: *Ervin Mc Daniel*

EMCD/FM:rdn

129-ZAC/ZAC1

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature *James D. Kennedy* Date 11/09/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Steven and Nadine Mosgin		129		11-2-92
DED DEPRM RP STP TE	Edward L. And Linda M. Gittings	134		NC
DED DEPRM RP STP TE	Kathleen Gaizer	135		NC
DED DEPRM RP STE RP	Charles E. Anderson	136		NC
DED DEPRM RP STP TE	Richard E. Shetrone Jay E. Boyd	137		NC
DED DEPRM RP STP TE	Fred C. and Soung O. Yoo	138		NC
DED DEPRM RP STP TE	John and Barbara Taylor	139		NC
DED DEPRM RP STP TE	Jose and Janice S. Lopez	141		NC
DED DEPRM RP STP TE	Russell L. Elliott	142		NC
DED DEPRM RP STP TE	Nick J. and Koula I. Proakis	143		NC
DED DEPRM RP STP TE	Daniel T. and Sharon L. Wollfrey	144		NC
DED DEPRM RP STP TE	Mark N. and Deborah A. Cleaver	145		NC
DED DEPRM RP STP TE				

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature *James D. Kennedy* Date 11/23/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
Keys Development Corporation		157		11-16-92
DED DEPRM RP STP TE	Steven J. and Beverly A. Timchula	158		WRITTEN COMMENTS
DED DEPRM RP STP TE	Steven M And Deborah S. Faulkner	159		NO COMMENTS
DED DEPRM RP STP TE	Ralph L. and Elsie M. Hackler	160		NO COMMENTS
DED DEPRM RP STP TE	Theresa Rykaczewski	161		IN PROCESS
DED DEPRM RP STP TE	Jean Romadka	162		NO COMMENTS
DED DEPRM RP STP TE	Residuary T. of Milton Schwaber - Carroll Independent Fuel	163		WRITTEN COMMENTS
DED DEPRM RP STP TE				NO COMMENTS

COUNT 10

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Steven and Nadine Mosgin		129		11-2-92
DED DEPRM RP	Edward L. And Linda M. Gittings	134		NO COMMENTS
DED DEPRM RP	Kathleen Gaizer	135		NO COMMENTS
DED DEPRM RP	Charles E. Anderson	136		NO COMMENTS
DED DEPRM RP	Richard E. Shetrone Jay E. Boyd	137		NO COMMENTS

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

NOVEMBER 16, 1992 (410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: KATHLEEN GAISER
Location: #2000 TADCASTER ROAD
Item No.: #135 (JCM) Zoning Agenda: NOVEMBER 2, 1992
Gentlemen: 93-135-A

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Carl J. J. J.* Noted and
Planning Group Approved
Special Inspection Division Fire Prevention Bureau

JP/KEK

Rec'd 11/18/92



111 West Chesapeake Avenue
Towson, MD 21204

OCT. 29 1992

(410) 887-3353

Kathleen and Robert Gaier
2000 Tadcaster Road
Baltimore, Maryland 21226

Re: CASE NUMBER: 93-128-A
LOCATION: WMC Tadcaster Road and Morwick Road
2000 Tadcaster Road
1st Election District - 1st Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a reminder regarding the administrative process.

1) Your property will be posted on or before November 1, 1992. The closing date is November 16, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) award that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Changes related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Lawrence E. Schmidt

Zoning Commissioner, Baltimore County

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2000 TADCASTER RD

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: ROLLING WOOD

plat book# 23 folio# 52 lot# 6 section# 3

OWNER: ROBERT & KATHY GAIER

02/03/00 - 40'

02/03/00 - 40'

93-128-A

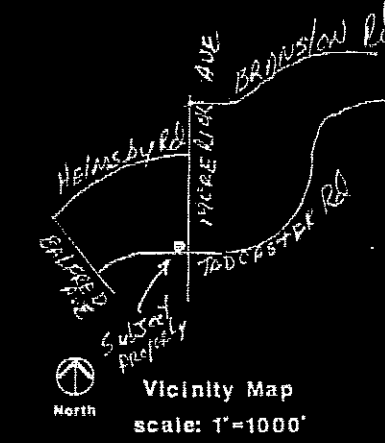


North

date: 10-15-92

prepared by: RA GAIER

Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Councilmanic District: 1

Election District: 1

1"=200' scale map: SW 4G

Zoning: DR 5.5

Lot size: 10,382.5 square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

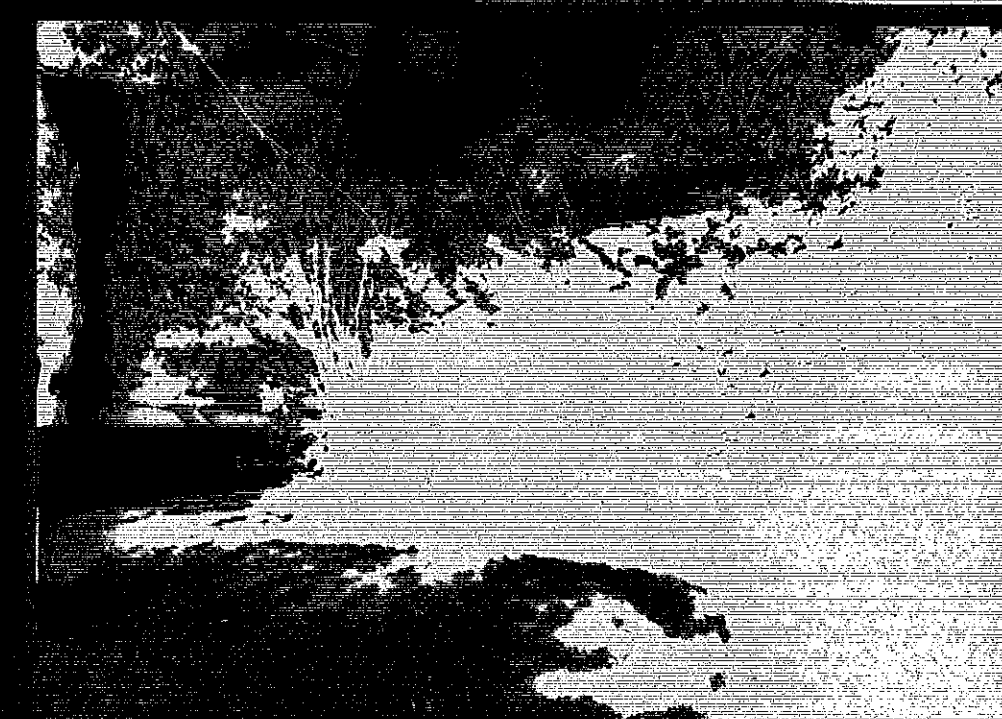
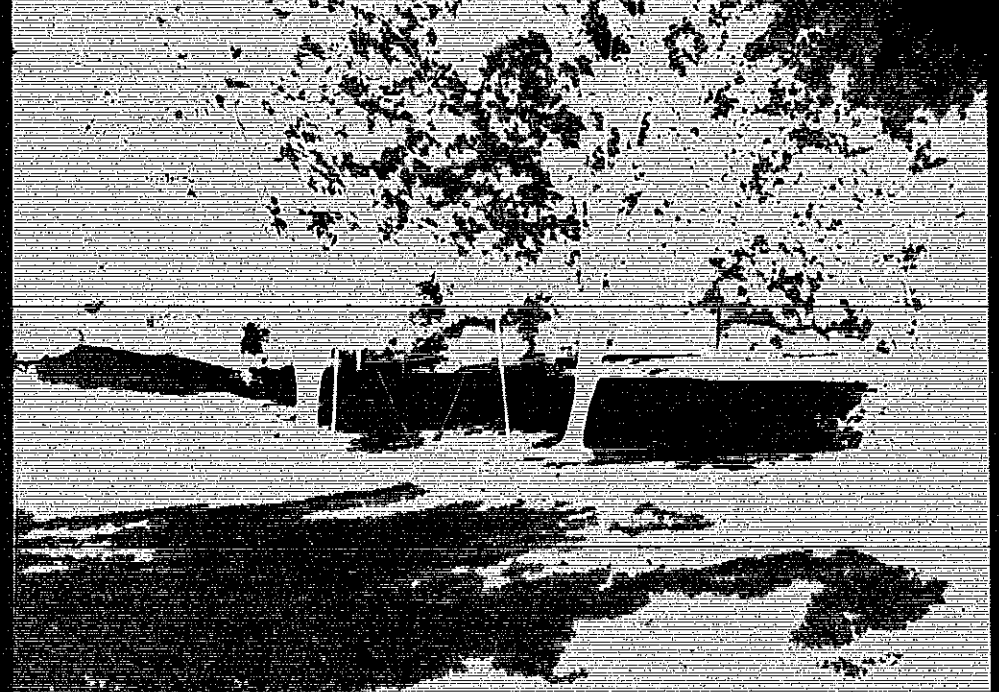
Zoning Office USE ONLY

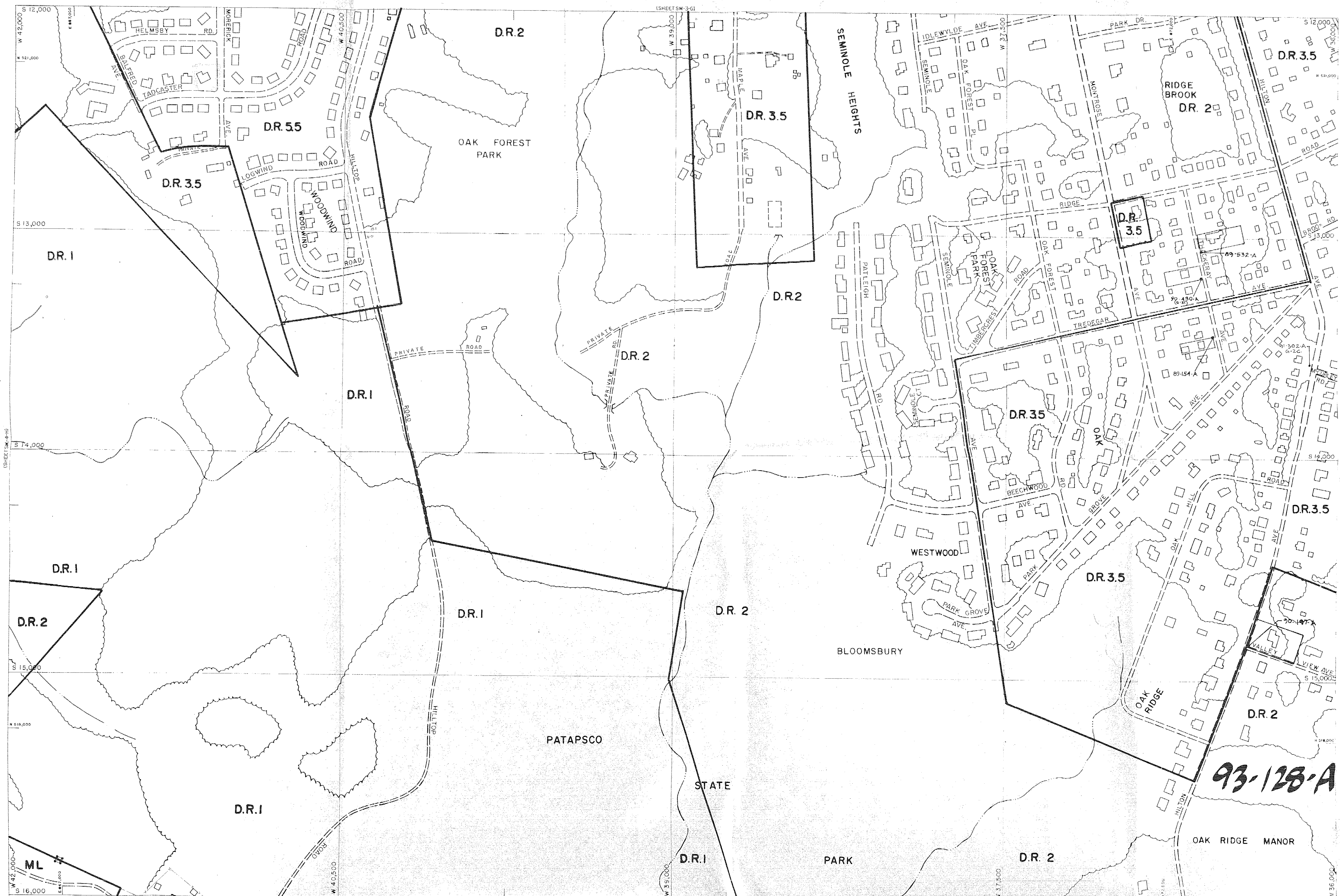
reviewed by: ITEM #:

CASE#:

JCM 135

93-128-A





H-SE

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION CATONSVILLE	SHEET SW 4-G
DATE OF PHOTOGRAPHY JANUARY 1986		

135